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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,175	09/29/2000	Orna Etzion	42390.P7512	1540

7590

01/24/2006

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EXAMINER

MEONSKE, TONIA L

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/676,175	Applicant(s) ETZION, ORNA	
	Examiner Tonia L. Meonske	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,9-11 and 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 9-11, and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-6, 9-11, and 14-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Rozas et al., US Patent 6,725,361 (herein after referred to as Rozas et al.).
3. Referring to claims 1, 6, and 11, Rozas et al. have taught
 - a. translating a first block of instructions executable in a first processor architecture, into a translated first block of instructions executable in a second processor architecture (abstract, column 4, line 31-column 5, line 32), said translated first block of instructions operating with a stack of data entry positions (abstract, column 4, line 31-column 5, line 32); and
 - b. during the translating, generating an expected Top of Stack (TOS) position in said stack for said first block of instructions (column 5, lines 32-40, column 8, line 66-column 9, line 18); and
 - c. during the translating adding at least one instruction to said translated first block of instructions to determine if said first expected TOS is equal to an actual TOS position

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in said stack at a time of executing said translated first block of instructions (column 10 line 66-column 11, line 10);

d. wherein said at least one instruction branches to correction code if said expected TOS is not equal to said actual TOS (column 9, lines 5-38, column 11, lines 3-23), and

e. wherein said correction code to generate a delta of said expected TOS and said actual TOS and to adjust said stack for said first block of instructions by the delta at the time of executing said translated first block of instructions (Column 12, lines 8-12, 45-54, and 59-65, column 11, lines 3-10, column 10, lines 55-58, column 9, lines 32-38, The instruction translations are dynamic. Initial translations are preformed and saved. Those translations are used over and over again by adjusting the TOS values at runtime. The stack is adjusted at the time of executing the instructions.).

4. Referring to claims 4, 9, and 14, Rozas et al. have taught the method and system of claims 1, 6, and 11, as described above, and wherein determining if execution of instruction in said first block of instructions changes the actual TOS (Column 7, line 3-column 8, line 12).

5. Referring to claims 5, 10, and 15, Rozas et al. have taught the method and system of claims 4, 9, and 14 and in response to determining execution of instructions in said first block of instructions changes the actual TOS, adding an instruction to an end of the first block of instructions to update the actual to TOS (column 7, line 3- column 8, line 12, FTEN).

6. Referring to claims 16, 17, and 18, Rozas et al. have taught the method and system of claims 1, 6, and 11, as described above, and wherein to adjust said stack for said first block of code by the delta includes rotating said stack by the delta (column 9, lines 63-67).

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7. Referring to claims 19, 20, and 21, Rozas et al. have taught the method and system of claims 5, 10, and 15, as described above, and wherein to update the actual TOS results in an expected TOS corresponding to a second block of instructions matching the actual TOS, said second block of instructions following said first block of instructions in execution and further operating with said stack (column 6, lines 58-column 8, line 11, At the end of an instruction sequence the TOS value is updated before the following block of instructions are executed.).

Response to Arguments

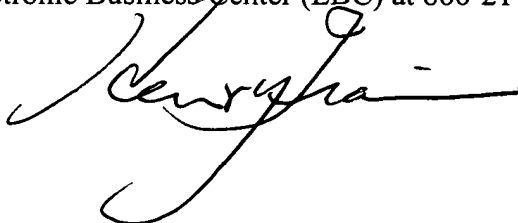
8. Arguments filed November 16, 2005 with respect to claims 1, 4-6, 9-11, and 14-21 are moot in view of the newly applied grounds of rejection above.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170. The examiner can normally be reached on Monday-Friday, with every other Friday off.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



1/20/06

HENRY W. H. TSAI
PRIMARY EXAMINER